



State of Utah

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Environmental Quality

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DAQ-074-05

MEMORANDUM

TO: Air Quality Board

THROUGH: Richard Sprott, Executive Secretary

FROM: Colleen Delaney, Environmental Scientist
Jim Schubach, Environmental Engineer

DATE: October 18, 2005

SUBJECT: Propose for Public Comment: Amend R307-410, *Permits: Emission Impact Analysis*; Amend R307-101-2, *Definitions*

In a separate agenda item, the Board is considering a proposal to amend R307-405, *Permits: Prevention of Significant Deterioration of Air Quality (PSD)*. As part of this rulemaking, we took a critical look at all of the permitting rules for new and modified sources. R307-410 establishes the modeling requirements to determine the impact of new or modified sources on the NAAQS and the impact of hazardous air pollutants. After reviewing this rule, we recommend making the following changes.

1. When stakeholders reviewed the proposed revisions to the PSD permitting rule, R307-405, they suggested including all of the PSD requirements, including modeling, in the PSD rule. The modeling requirements are currently located in R307-410-2 and the GEP stack height requirements in R307-410-5. We accommodated that request by incorporating those requirements by reference into R307-405. However, because the requirements in R307-410 apply to all sources, the language in R307-410 has not been changed, and will continue to establish the requirements for our minor source program. References in R307-410 to increment and major sources were removed because these requirements are now addressed in R307-405.
2. R307-410 requires that emission limitations be based on good engineering practice stack height. This is required by 40 CFR 51.118. We recommend incorporating the complicated definitions for this rule by reference rather than repeating the definitions in our rules. This will

help to emphasize that this is a federal requirement, and it will also make it easier for sources to determine that we have not modified the federal requirements. The incorporation by reference will not change the implementation of the rule because the current definitions are essentially the same as the federal definitions.

3. An effective date of July 1, 2005, was added to the incorporation by reference of the federal Guidelines on Air Quality models. Rule writing conventions require us to specify the version of any requirements that are incorporated by reference.

4. An effective date of July 1, 2005, was added to the incorporation by reference of the definition of "ambient air" from 40 CFR 50.1(e) as required by rule writing conventions.

5. The modeling cutoff for carbon monoxide in Table 1 of R307-410-3 currently references R307-405-6 (2) rather than specifying an emission level. UDAQ modelers have interpreted this to mean 100 tons/year, the significance level that has been established for PSD. The rule has been changed to specify 100 tons/year to clarify this requirement.

6. The definitions of "vertically restricted emissions release" and "vertically unrestricted emissions release" have been moved from the general definitions in R307-101-2 to R307-410 because the terms are used only in this rule.

Staff Recommendation: We recommend that the Board propose the modifications to R307-410 that are included in the attached rule revision.